

Port Orford Free Press

1.11

Vol. 1 Number 11 – Tuesday, September 23, 2014

A Publication of Citizens For A Free Port Orford

Port Commission Meeting

– staff reporter

Commissioner Bassett called the meeting to order with a small group of citizens in attendance. Commissioner Scofield was absent. Commissioner Webb asked that a reading and discussion of the Open Meeting Law – ORS 192 be added to the agenda under New Business.

Public Comment

Dorene Ames asked why were all commissioners not in attendance, and where might the missing commissioner be? [Ed: confidential sources have revealed that absent Commissioner Diane Schofield has moved away from the area, and no longer qualifies to be a Port Commissioner.] Miss Ames then reminded the commissioners that receiving monies from private parties (ie, WRCA, etc) is cause for a conflict of interest and they must recuse themselves on matters that would benefit their donors. **Mike Hewitt** commented that he was disappointed in the commissioners that walked out of the meeting (along with the city councilors and large part of the audience) on the 11th. [Ed: the meeting appears to have been improperly advertised and the agenda was not as previously promised – as such it violated ORS 192, pointed out by Commissioner Webb]. Ms. Ames responded with “It took a lot of integrity to walk out.”

Minutes were approved for both the 8/19 and 9/9/2014 meetings.

Old Business

The future of the FV Pequod was discussed at length. Beverly Bacak from the Arts Council stated they had considered 5 options for paint designs on the vessel, but were dealing with paint durability issues. Commissioner Bassett mentioned they had received no offers for the sale of the vessel and he had promised to safely secure it by 10/12. Commissioner Calvenese moved to accept the Arts Council design, which passed 3 to 1. Bassett then moved to “put the boat in the ground and salvage the drive train”, 2nd by Brett. Commissioner Webb then suggested they leave the vessel on the trolley and dig a trench for it to lower the profile, then it could remain for sale and be ready to move. After much discussion, including Commissioner Scoffo pointed out several issues concerning the relic including it would be a possible nuisance hazard, the space it would utilize, rain water retention, general maintenance and eventual disposal costs, along with any necessary city permits and planning. Commissioner Webb then moved to put the vessel back into the bone yard and try to sell it, 2nd by Bassett. The motion passed 3 to 1.

Next up was the Strategic Business Plan, and the Port Manager stated he has been in several meetings about it and has it moving right along.

Port Facilities projects: Garrett Palo was present to discuss power generation issues concerning operation of the cranes and facility with out mainland power. He had several options ranging from \$80K for all new generator to \$8K for a good used unit. The commissioners decided it would be best for the Port Manager to review the choices and bring back his suggestions to the board. The Sea Water Return was discussed as really a 'sand issue'. An RFP needs to be issued for Lease Space in the new cannery building. The Reserve Economic Report was discussed and a response letter requesting details from the report writer.

New Business

ORS 192 “The Oregon Open Meeting Law” violations – Commissioner Webb presented the commission with the complete ORS 192 document and stated that meetings are being mishandled, and that a recent 100 person email chain was in fact an ‘illegal meeting’. He then read a statement into the minutes regarding the 9/11 meeting, that he believed ORS 192 was violated, and this is why he and several others walked out of that meeting. Bassett back peddled and claimed that “the meeting was stopped when there was no longer a quorum, and continued as a discussion only”. Commissioner Webb stated he was not happy with the current trend and “lackadaisical and non-transparent approach”. He went on to state that Bassett's lack of transparency and the email debacle have created an atmosphere of distrust in the community. Commissioner Scoffo also made a public statement – “On 9/11 I choose to excuse myself from the meeting. Once it became obvious there was a surprise presentation by a private entity, I left to end the meeting”

Meeting Reports: The PM stated the Coast Guard will remove the damaged warning light from the jetty by 9/30. He is also looking into a security system for the entire dock area. And, a dump sight for the local dredging operation has been approved. He is also looking into a seal coat of the entire dock surface for \$32K, and cleaning and painting the cranes at \$42K for both. The commissioners discussed, but did not approve either expense at this time.

Finance reports: Commissioner Webb mentioned his concerns that travel and meeting expenses for the PM were fairly high. The PM stated this was temporary as he is playing catch-up and this activity should be

reduced dramatically soon.

City Council Meeting

– staff reporter

The meeting was brought to order by Council President Pogwizd, as the Mayor was out with a “medical” issue. There were about 15 citizens in the audience. Councilor Scofield was absent [Ed. See comment in Port Meeting above].

There were no additions or changes to the agenda.

Next, was a presentation from Don Kendall, Curry County Emergency Services, concerning the “Great shake-out Oregon” drill scheduled for 10/16 at 10:16AM. Along with the drill they are requesting we join in a 'tsunami walk' at noon – from Driftwood School to their secure place, and another to go up Coast Guard Hill from Dock Rd and 101. This was followed by Tyson Razor and a Red Fish Rocks update.

Citizens Concerns: Tim Leslie brought up his concerns with the city noise ordinance and asked for clarification, perhaps the setting of a decibel level reference (ie 55db). The ordinance seems unfairly enforced – he gets complaints when play music during the day at 55db, while the trash dump at 5AM is at 97db and allowed. The current ordinance is “complaint driven and vague”. Councilor Clancy stated “Lets do something about it”. The admin said the ordinance was with planning, and did not know the status. Council President Pogwizd asked that it be brought to council next month, and that it be put on the agenda. Counsel suggested considering different zones, and Councilor Clancy added “different times”. **Teresa Kolibaba** agreed with Mr. Leslie, and questioned the admin report – in the procedure for posting notifications what is the “paper of record”?, are all the 'training classes' for the admin necessary and being fiscally responsible?, on the Equivalent Dwelling Unit rating for water are we going to see a \$50/EDU increase in our water bills?, she objects to having the admin's husband on the planning commission, finds Roorbach's application to planning unacceptable because of his history of quitting – he quit planning once before and even resigned from mayor after 6 weeks, and lastly would the gas tax be exclusive for street repair? **Gary Wickham** wished the departing chief well, concerning the 5cent gas tax he stated we already pay \$.15 higher than elsewhere, and he advocates the leash law and dog park. **Dee Finch** corrected the planning report as she was named as co-chair with Jim Kuhn, her opinion for applicant recommendations were Lance Nix and Kevin McHugh. **Pat Rice** had several

changes and corrections to the minutes, comprehensive plan maps and ordinances, and restated her thoughts that the ROW should be a permit, not a license. **Dave Smith**, on the gas tax, stated he thought they had a *gentleman's agreement* to discuss taxes with the county, that this was a complete surprise, and suggested a city tax would usurp the county's efforts to do the same thing.

Departmental Reports:

Admin – The report shows the admin had appointed Officer Hansen as interim chief. Councilor Clancy asked why the council itself was not making this decision? The admin said she understood that she “is in charge of the department and the decision”. Councilor Clancy asked how many cops are on the payroll now? Admin “4”. Chief Combs piped in stating that Hansen was the long term choice as Officer Rose leaves in December. Councilor Clancy asked about the grants the admin was to investigate, the admin said the grants were not “a fit”. McArdle asked why the water loss was so low (admin – “the crew”), Councilor Clancy mentioned that “this is seasonal, and Alan did just as good”. The admin brought up the PORFD contract review and requested a councilor to review the contract with the fire board – Councilor Clancy volunteered. The admin also mentioned she was subpoenaed to appear in a court case on 10/14.

Finance – Dave ‘11%’ Johnson brought up an issue with the software he approved and we paid for 6 years ago. Apparently the company delivered an inferior product at the time, and after 4 years ‘11% Dave’ finally started on the path to the correct version. Now after two more years of amateur negotiations we have an offer to upgrade the software with a \$5K training expense. Councilor Clancy asked why the \$5K, “they owe it to us, it was their mistake”. Counsel stated she had not seen the contract, and should take a look at it. Councilor Clancy asked ‘11% Dave’ why do it at all? He said it would cease to be supported and likely fail to operate in the future. Clancy asked “what about in two years when we have to upgrade the equipment – what then?” ‘11% Dave’ had no response. Council President Pogwizd stated “counsel should look over the contract”, Councilor Clancy “This should not have been allowed to happen!”

Police – Chief Combs mentioned Levi was in Roseburg with the new car for Taser instruction training. He offered his good-bye speech, and Councilor Clancy added that a retirement party was set for 9/26 5-7PM.

Notice

All submissions to the *Port Orford Free Press* must be made by email, in text only format – all other forms will be rejected.

Email submissions to:

PortOrfordFreePress@gmail.com

Mayor – Councilor MacLeod stated there is still a problem with the mayor having private meetings with people outside the area, and that he needs to be much more transparent with his city functions. Councilor Clancy asked counsel “didn't we change the rules such that he not state he has council backing without our approval?” Counsel stated the mayor cannot commit the city without specific council approval.

Liaison Reports

School – There is a new 1st grade teacher at Driftwood, board members training in Portland and Bandon. TLT/Chamber – members may be leaving. Fire Board – contract review. Parks – Cleanup with Solve.org set for 10/27, looking at recommendation to replace BMX park with the dog park. Watershed – Redfish Rock report, tree area cleaned up. County – Commissioner Dave Smith was present to take credit for the \$130K timber grant, and whine about the failed jail levy.

Old Business

Planning Commission Appointments: Council President Pogwizd suggested they only consider the Lance Nix recommendation at this time. Councilor Clancy motioned to accept Nix's appointment, 2nd by Jim, passed 5/0

New Business

Hearing on Supplemental budget: as there was no new information, reports or other input, the hearing was closed.

Resolution 2015-03 Payback of DLCDD Grant for Battle Rock Park trails. This resolution puts the \$50K borrowed from the sewer fund to pay the debt. Motion made by Councilor Clancy, 2nd by Francie, passed 5/0.

Resolution 2015-02 Local Election for the purpose of approving a local Gas Tax. The resolution it add a 5 cent per gallon tax on gas purchased in the city limits. The councilors elected to table this resolution to some future date.

Discussion of choosing an official city logo. Two choices were presented to councilors. Councilor Billings made a motion to accept the version that matched what was already on the vehicles. Motion passed 5/0.

Parks Commission Appointment.

An application from Dawn Stancliff was reviewed. Councilor Clancy motioned to approve Ms Stancliff to Parks, 2nd Francie. Passed 5/0.

Consent Calendar

Minutes from the last two meetings was up for approval. Motion made by Councilor Clancy, 2nd Jim, passed 5/0.

Continuing Action Items

The admin mentioned some scheme brought up to get rid of the emergency sirens in favor of a smart phone app

[ed. This seems poorly though out, these systems like the 911 dial out, have failed miserably in field use]

Councilor Clancy asked the admin about the slash piles and such in limbo on the North end of town. The owner is currently looking for trucks to remove the debris to another location. She also brought up the issue of the city burn ordinance violating the current contract with PORFD.

Citizens Consideration

Teresa Kolibaba – Gas tax is too much, already gas prices are higher than elsewhere, in addition the stations price fix. Jim Seeley, WRCA, stated that Port Orford is the poorest town on the coast and could benefit from Keiser's golf courses, while a report just released shows Bandon schools have 65% on the free lunch and the 5 food banks in Bandon cannot keep up with demand – what does this say about the benefits of a Keiser golf course for them? The Keiser plan does not appear to work for Bandon. County Commissioner **Dave Smith** commented about Seeley, Keiser and WRCA - “be skeptical, but respectful”. **Gary Wickham** said he was in favor of the jail levy.

Staff Considerations

Councilor MacLeod gave her reasons for leaving the 9/11 meeting as a lack of proper procedure and the unscheduled surprise presentation from Keiser (WRCA). Councilor Clancy read a statement into the minutes, “I thought it was a chance to discuss a vision of the Port and City, instead it was clear it was Mike Keiser's vision – it was not on the agenda, and was illegal according to ORS 192.” Council President Pogwizd did stay and stated it was an “update for the new visitor center plans”. The admin stated she notification details “directly from Dave Bassett, WRCA was listed as a possible facilitator, not a presenter.” Councilor Clancy added “the meeting was not properly posted – it was an illegal meeting”.

Illegal Meeting Video

The video for both the practice meeting and the official port/city 'visioning' meeting is available online at archive.org (email us for the pointer, or visit our FaceBook page)

Eradication of Dark Sky Ordinance

– Editorial staff

Just a few short weeks ago, I could watch the waves crashing on shore under the full moon from my window; now Terrie Richards says it's perfectly fine for the adjacent property to flood their entire back lot with lumens brighter than my high beams twenty-four hours a day! Not only has the dark skies disappeared but the quality of life (as based upon personal enjoyment and not on personal monetary value as Jim Auburn bases it) is rapidly

disappearing.

Our city seems to have slipped through our fingers with Richards, since it is apparent she can't decipher technical documents that the ordinance calls out to be a controlling document. The concept of broadcast and lumens is forever tossed to the curb thanks to Richards. Go ahead everyone light up the skies, broadcast the lights 24 hours, and direct them in your neighbor's windows! I am buying mine now and will face them at anyone I want 24/7! And if they don't like them they can move or buy bigger broader blackout curtains – 'cause this is Richards vision of Port Orford and a passive city council won't balk.

So why do we have Richards? Another \$45k loss of revenue when we already have a \$87k Finance Director whom she was supposedly qualified to replace at some juncture and be able to manage city affairs? It is almost if the folks who said we needed her had another vision than what was purported. I decided, based on her lack of reading skills, to see how other small cities comparable in social statistics fare in their government.

From the comparable cities, it appears we are over-inflating salaries and have excess personnel since we have both a Finance Director and a City Manager. We are also 57% above all other cities in Oregon in police per person categories. I struggled with the data as we are being called upon to support more and more when other cities have cut and cut to reduce costs. It became quite apparent that we are top heavy and burdened with unqualified individuals being placed into some "administrative" function that exceeds their ability to manage city affairs such as a simple controlling document in an ordinance.

So Richards, as I write about your inabilities, I am writing the Audubon Society to rescind our award for the Dark Sky Ordinance that has no value now that you cannot read and decipher a technical document. I'm asking the taxpayers to realize how much of a burden our city government continues to place on us financially through over-employment and employing under-qualified persons while letting go or forcing out the qualified. You see the bulldozers are waiting and they have begun clearing their path through the city government and we are paying to lose our way of life while the greed and deceit progresses without any reins.

It is an odd little place by the sea where the victims are told to shush and the perpetrators simply walk away due to an unnecessary under-qualified city administrator who only acts upon the position of greed and not for the people, by the people.

Lost at Sea

The past month has been an interesting month to say the least. I suppose we should start with the illegal meeting on the eleventh of the month

which did bring about the posting of this document onto the city website: <http://www.portorford.org/pdfs/VISI ONINGSUCCESSAUDIT2014.pdf>. You see the citizens again were delivered a black swan (a creature that had been claimed to be non-existent until it was discovered). For over a year we have been told by the mayor that our claims were erroneous even though there was evidence supporting those claims. His cronies attacked us openly and called us liars. They threw their mud and we returned with the truth and evidence each time. As you see in the document now being presented these secret meetings either by attendance or through emails—albeit illegal—continued.

This past month we were openly cajoled by first having Keiser's organization presenting at a Free Lunch for Seniors and representing themselves as a philanthropic group. Since Keiser is a businessman, we will use the business definition of philanthropy here: *Philanthropy is an idea, event, or action that is done to better humanity and usually involves some sacrifice as opposed to being done for a profit motive. Acts of philanthropy include donating money to a charity, volunteering at a local shelter, or raising money to donate to cancer research.*

Keiser needs membership for grants to acquire more land to swap with the State of Oregon and smaller entities like Port Orford so he can realize his own purported vision of a walking golf course extending the length of Oregon as he reported to Golf Digest in 2005. (Go look at the document about Port Orford Visioning now and correlate the dates.) Since then, he has held golf challenges at the Dunes inviting state and local officials and using TravelOregon funding. Some of the attendance sheets are now public and a simple google search will recover the documents. Moreover, from these meetings he has aligned himself in such comfortable fashion with the governor that he actually jests, in the emails made public earlier this month, that if the state says the Southern 240 acres of Bandon Dunes State Park (our land) is worth a mere 3 million can he simply write the State a check for 2 million and call it good. Instead he was advised to buy land that has little value but equal acreage so it will look feasible on paper as a land exchange.

Erroneously, his group presented their need to acquire land as a preservation act for the people—well if you mean people that golf with Keiser that might have some truth. His group went on to ask for people to "join" and asked for a \$10 donation. Nonsensical. Just as his claim that a State park that attracts tourist globally is under-used and that a better use is for 100 luxury homes!

The next meeting, arranged through emails (of which we posted some so you can see all the names on our Facebook page and correlate these directly with the TravelOregon Bandon

Dunes attendance sheets) is a "practice meeting" at the library on the ninth. This meeting received no public announcement yet was a practice, as they state, for a public meeting scheduled through the Port Agenda as an open meeting with City council and the Public for "visioning of Port Orford"; yet it was not this at all. We were the first to leave when the mayor pointed out that there was no quorum of the city council present (red flag) and that he was taking charge of the meeting by introducing Keiser group's vision of Port Orford. Two Port Commissioners and two City Councilors understood the illegality of it all and soon departed as well.

Dave Bassett was essential in all of this as he worked to arrange the meetings and notify those individuals through emails about the endeavor and continued by suggesting a name for this group: Friends of the Port of Port Orford. Yes, another friends group! Remember previously they had used Friends of Cape Blanco until we notified that group of the name encroachment of a 501C3! The Mayor's hands were not without a bit of dirt through all of this as his name and his wife's appear through all the emails. Hence, we have two prominent political persons, Bassett and Auburn, working together to usurp the Oregon State Statutes and our rights to have a legal public meeting. We advise everyone to read cut and copy the email addresses of those on the list found again on our Facebook page.

We are not Keiser golfers nor, after looking into Keiser financials, do we want to be a Keiser golfer. His group employed a company out of the UK to create a "how to take over" document titled *Bandon Pathways* in 2005. The first step is media, with his false claims of positive economic impact (not according to the tax burden, low-wage jobs and even airline tickets we subsidize to this date), and then find local officials who are so self-inflated with perceived entitlement to send letters out as the Mayor of Port Orford stating how every citizen wants a golf course or some other project without support, such as the National Marine Sanctuary.

Now return, please reference that city doc that they just posted to see how many non-voted on items, items that the mayor denied in public meetings, and the like that few citizens of Port Orford knew of or about or were even queried on—including our own city council. The mayor was censured for good reason but to date runs amuck and needs to be charged now by our city attorney for violating his censure. The Port Commission needs to do the like with Dave Bassett.

Believing lies causes dissent, believing in truth, no matter who it serves, allows for direction and vision so Port Orford won't be lost at sea.

Please register now to VOTE with us as a community. The election is only a month away.